

Message Text

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PAGE 01 BONN 06265 171740Z

72

ACTION EUR-12

INFO OCT-01 ISO-00 IO-10 EB-07 BIB-01 ACDA-05 NIC-01 SAM-01

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FM AMEMBASSY BONN

TO SECSTATE WASHDC 9473

USMISSION USBERLIN

INFO AMEMBASSY LONDON

AMEMBASSY PARIS

AMEMBASSY MOSCOW

AMEMBASSY BERLIN

USMISSION NATO BRUSSELS

CONFIDENTIAL BONN 06265

E.O. 11652: GDS

TAGS: PGOV, WB, GW, UR, AU

SUBJECT: RESPONSE TO SOVIET PROTEST ON FRG-AUSTRIAN

TREATIES

REF: A) BONN 5907; B) BONN 4740; C) STATE 37150;

D) USBER 225

1. BONN GROUP HAS REACHED AD REF AGREEMENT ON REVISIONS OF TEXT FOR REPLY TO SOVIET COMMUNICATION ON FRG-AUSTRIAN TREATIES. UK REP REPORTED FCO OBJECTIONS TO PARA 2 OF DRAFT PROVIDED REFTEL B, THAT ALLIES COULD NOT MAKE SUCH BROAD STATEMENT REGARDING LIMITATIONS ON EXTENSIONS OF TREATIES TO WSB. FCO BELIEVED IT POSSIBLE THAT SOME TREATIES, THEMSELVES, MAY CONTAIN WHAT AMOUNT TO LIMITATIONS. UK REP ADMITTED FCO HAD NOT PROVIDED ANY EXAMPLES, BUT IN ORDER TO MOVE AHEAD WITH DRAFTING, OTHER REPS AGREED TO ALTERATIONS IN TEXT AS REPORTED BELOW. FRENCH REP REPORTED DESIRE TO SLIGHTLY ALTER LAST SENTENCE PARA 3 BY MAKING REFERENCE TO ALLIED LEGISLATION

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PAGE 02 BONN 06265 171740Z

REGARDING AIR MATTERS. MAIN POINT OF REPLY STILL REMAINS

A REFUTATION OF ASSERTION THAT TESTS EXIST FOR EXTENSION
OTHER THAN THOSE REFERRED TO IN QA.

2. BEGIN TEXT:

1. WITH REFERENCE TO THE STATEMENT MADE ON
8 JANUARY 1975 BY A MEMBER OF THE EMBASSY OF THE USSR TO
THE CHAIRMAN POLITICAL ADVISER CONCERNING THE EXTENSION
TO BERLIN OF THE TREATY OF 29 JANUARY 1972 BETWEEN THE
FEDERAL REPUBLIC OF GERMANY AND AUSTRIA ON THE STATE
BORDER BETWEEN THEM AND THE TREATY BETWEEN THE FEDERAL
REPUBLIC OF GERMANY AND AUSTRIA CONCERNING THE OPERA-
TIONAL EFFECTS ON THE TERRITORY OF THE FEDERAL REPUBLIC
OF GERMANY OF SALZBURG AIRPORT, I WOULD LIKE TO MAKE THE
FOLLOWING REPLY WHICH REPRESENTS THE VIEWS OF THE THREE
POWERS.

2. IN CONFORMITY WITH THE ESTABLISHED PROCE-
DURES, THE ALLIED AUTHORITIES, BEFORE AUTHORIZING THE
EXTENSION OF THE TWO TREATIES MENTIONED ABOVE, THE
EXTENSION OF EACH HAVING BEEN SPECIFIED, ENSURED THAT
THEIR APPLICATION IN THE WSB WOULD NOT AFFECT MATTERS OF
SECURITY AND STATUS.

3. SO FAR AS THE TREATY ON THE OPERATIONAL
AFFECTS OF SALZBURG AIRPORT IS CONCERNED, THE ALLIED
AUTHORITIES TOOK THE NECESSARY STEPS TO ENSURE THAT THEIR
RIGHTS AND RESPONSIBILITIES AND THE CORRESPONDING ALLIED
LEGISLATION IN THE FIELD OF CIVIL AVIATION REMAIN
UNAFFECTED.

4. ALL THE CONDITIONS FOR THE EXTENSION TO THE
WSB OF INTERNATIONAL AGREEMENTS AND ARRANGEMENTS ENTERED
INTO BY THE FRG REFERRED TO IN ANNEXES IV A AND IV B TO
THE QA OF SEPT. 3, 1971 HAVE THEREFORE BEEN MET.

5. AS FOR QUESTIONS OF TERMINOLOGY, THE AUTHORI-
TIES OF THE THREE POWERS RECALL THEIR COMMUNICATION OF
22 FEBRUARY 1973 TO THE SOVIET MINISTRY OF FOREIGN
AFFAIRS. END TEXT.

6. ACTION REQUESTED. DEPARTMENTAL APPROVAL OF ABOVE
TEXT FOR DELIVERY IN BERLIN IN ACCORDANCE WITH USUAL
PRACTICE.

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PAGE 03 BONN 06265 171740Z

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